

STENOGRAPHIC TRANSCRIPT OF PROCEEDINGS

BEFORE THE

Illinois Commerce Commission

DOCKET NO. 00-0312 &
00-0313
CONSOLIDATED

IN THE MATTER OF:

COVAD COMMUNICATIONS COMPANY

RHYTHMS LINKS, INC.

PLACE: Springfield, Illinois

DATE: June 30, 2000

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Rhythms Link
Witness

Date *10-15-00* Reporter *QAC*

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1 have happened. So if you recall it, if you don't, say
2 so. Do you recall anybody saying that?

3 THE WITNESS: No, I don't.

4 MR. VAN BEBBER: I think that's all we have,
5 Your Honor.

6 EXAMINER WOODS: Okay. Call the next
7 witness.

8 MR. ASHBY: Ameritech Illinois calls Robin
9 Jacobson.

10 (Whereupon Ameritech Illinois
11 Exhibits 3.0 and 3.1 were
12 marked for purposes of
13 identification as of this
14 date.)

15 R O B I N L. J A C O B S O N
16 called as a Witness on behalf of Ameritech Illinois,
17 having been first duly sworn, was examined and
18 testified as follows:

19 DIRECT EXAMINATION

20 BY MR. ASHBY:

21 Q. Ms. Jacobson, would you state your full
22 name for the record, please.

1 A. Robin L. Jacobson.

2 Q. And how are you employed?

3 A. I am employed by Pacific Bell.

4 Q. And what is your position and title?

5 A. Area Manager - OSS Regulatory Support and
6 Reporting.

7 Q. And do you have in front of you a
8 document that has been marked as Ameritech Illinois
9 Exhibit 3.0?

10 A. Yes, I do.

11 Q. Do you also have a document in front of
12 you that's been marked as Ameritech Illinois Exhibit
13 3.1?

14 A. Yes.

15 Q. And is Exhibit 3.0 the direct testimony
16 of Robin L. Jacobson on behalf of Ameritech Illinois?

17 A. Yes, it is.

18 Q. And is Exhibit 3.1 the supplemental
19 verified statement of Robin L. Jacobson on behalf of
20 Ameritech Illinois?

21 A. It is.

22 Q. And were these documents prepared by you

1 or under your direction?

2 A. Yes, they were.

3 Q. Do you have any changes to those
4 documents?

5 A. No, I don't.

6 Q. And do these documents consist of your
7 direct testimony in this proceeding?

8 A. Yes.

9 Q. And if you were asked the same questions
10 today, would your answers be the same?

11 A. Yes, they would.

12 MR. ASHBY: Your Honor, we would move for the
13 admission of Ameritech Illinois Exhibits 3.1 and 3.0.

14 EXAMINER WOODS: Objections?

15 MR. BOWEN: No objections, Your Honor.

16 EXAMINER WOODS: Documents are admitted
17 without objection.

18 (Whereupon Ameritech Illinois
19 Exhibits 3.0 and 3.1 were
20 admitted into evidence.)

21 MR. ASHBY: We tender the witness for cross
22 examination.

CROSS EXAMINATION

BY MR. BOWEN:

Q. Good afternoon, Ms. Jackson, nice to see you again. Okay, I want to start first of all with your opening testimony, Exhibit 3.0; do you have that in front of you?

A. I do.

Q. First of all, you are the witness on operation support systems or OSS; is that right?

A. That's right.

Q. And you have testified before on this issue, I believe, in both California and Texas; isn't that right?

A. That's right.

Q. On page 1 and 2 of your testimony, one at the bottom, two at the top, you are talking about -- at least you start talking about the obligations that you believe Ameritech Illinois has with respect to OSS; is that fair?

A. You know, mine actually starts on page 2, but yes.

Q. Well, the purpose of your testimony, you

1 are talking about non-discriminatory access to a loop
2 qualification information for use by CLECs in
3 pre-ordering, ordering and provisioning, right? Do
4 you see that?

5 A. Right.

6 Q. Now, will you agree with me that the FCC
7 has five categories and the industry commonly refers
8 to OSS as falling into pre-ordering, ordering,
9 provisioning, repair and maintenance, and billing
10 categories for OSS at a high level?

11 A. That's true.

12 Q. You don't mean on page 1 to leave out
13 things like repair and maintenance, and billing,
14 that's just the start of your testimony; the purpose
15 is to address all OSS types; isn't that right?

16 A. I think I'm a little confused, because on
17 line 9 I didn't leave out maintenance, repair and
18 billing.

19 Q. Well, back on page 1 on the purpose of
20 your testimony. You do address it on the next page; I
21 agree with you.

22 A. No, I don't mean to leave it out.

1 Q. So you want to cover the whole waterfront
2 of OSS, right?

3 A. Sure.

4 Q. On page 2 of your testimony, if you focus
5 on line 9 and 10, you think the proper standard is the
6 OSS categories that, to use your language, is
7 equivalent to what the ILEC provides to itself, its
8 customers or other carriers; do you see that?

9 A. Yes.

10 Q. Do you mean to include the Ameritech
11 Illinois data sub, AADS, in this characterization?

12 MR. BINNIG: I will object to the
13 characterization as an Ameritech Illinois sub.

14 MR. BOWEN: I will rephrase, Your Honor.

15 Q. Did you mean to include the Ameritech
16 Illinois affiliate company AADS?

17 A. Yes, as a CLEC they are included.

18 Q. All right. Now, will you agree with me
19 that CLECs' business plans for high speed data
20 services including line-sharing can differ?

21 A. I'm not privy to their business plans but
22 I'm assuming that could happen.

1 Q. Could that difference be vis-a-vis each
2 other, that is, one CLEC to another?

3 A. I'm not sure I understand the question.
4 Are you asking me between two CLECs could their plans
5 be different?

6 Q. Right. Rhythms and Covad, for example?

7 A. Sure.

8 Q. And could it also be the case that
9 Rhythms and/or Covad's business plans could differ
10 from AADS's business plans?

11 A. Yes.

12 Q. Now, will you agree with me that
13 different business plans can require different
14 information from Ameritech Illinois' OSSs?

15 A. Possibly.

16 Q. Will you agree with me that even for
17 line-sharing kinds of high speed services, that CLECs
18 either already have announced or already are using
19 different technologies and/or different vendors of
20 technology than those used by AADS?

21 A. I'm not sure I understand the question.

22 Q. I will rephrase. You have read the FCC

1 Line-sharing Order; haven't you?

2 A. Yes.

3 Q. You are aware that the FCC references
4 Rate Adaptive DSL or RADSL?

5 A. That's more of a technical issue. I
6 don't get involved in the technical side of the
7 products.

8 Q. You never heard of RADSL?

9 A. I heard it in this courtroom today for
10 the first time.

11 Q. You ever heard of G.lite?

12 A. Again, today for the first time. I am
13 not a technical person. I am an OSS witness.

14 Q. You ever heard of MVL?

15 A. No.

16 Q. Well, aren't you the witness that is
17 supposed to be testifying that Ameritech Illinois in
18 your opinion is complying fully with the OSS
19 obligations of the Line-sharing Order of the FCC?

20 A. That's right.

21 Q. Well, if the FCC -- I will ask you to
22 assume with me that the FCC identifies RADSL and

1 G.lite and MVL along with ADSL as line-sharing
2 technologies that will work. Can you assume that with
3 me?

4 A. I can assume that.

5 Q. If the first time you heard of these
6 other three technologies was today in the hearing
7 room, I guess it would have to be the case that you
8 wouldn't be able to tell us whether your OSS plans
9 would even support those variances; isn't that fair?

10 A. Well, because they are a product
11 distinction or a variation of a product, they probably
12 are designated by such information as network channel
13 or network channel interface codes. And I am not the
14 expert on what defines a product by information.

15 Q. Did you hear my question clearly?

16 A. I thought so.

17 Q. Let me ask it again. Because you
18 testified that the first time you even heard of RADSL,
19 MVL and G.lite was today in the hearing room, isn't it
20 correct that you cannot testify today whether or not
21 your OSSs at Ameritech do or do not support those
22 variances that the FCC have said are permissible for

1 line-sharing?

2 A. I cannot say that they don't, either.

3 Q. Okay, fair enough. Now, I take it that
4 you also have read at least parts of the UNE remand
5 decision of the FCC; is that correct?

6 A. Yes.

7 Q. I think from your testimony at page 4 you
8 would agree with me that, as it offers line-sharing
9 and access to OSS to support line-sharing, Ameritech
10 Illinois is bound by the requirements of the UNE
11 Remand Order, if you look at your testimony on page 4,
12 lines 8 through 10 where you reference it there?

13 A. That's true.

14 Q. Would you agree with me that if Rhythms
15 lacks access to Ameritech Illinois' OSS, it would be
16 severely disadvantaged, if not precluded altogether,
17 from fairly competing?

18 A. No.

19 Q. So you disagree with the FCC then?

20 A. We provide access. If a carrier chooses
21 not to have access through the electronic interface,
22 then they can send us an order by fax, by mail.

1 Q. Do you have a copy of the UNE Remand
2 Order up there with you today?

3 A. No, I don't.

4 Q. Let me show you paragraph 421 of the UNE
5 Remand Order, Ms. Jacobson, and ask you to read for
6 the record the sentence I am pointing to.

7 A. "The Commission further concluded that a
8 requesting carrier that lacks access to the
9 incumbent's OSS will be severely disadvantaged, if not
10 precluded altogether, from fairly competing." All
11 right.

12 Q. Thank you. I am going to leave this up
13 here with you; no, I won't. We have to share, I'm
14 sorry. Would you agree with me that it would be
15 appropriate for Rhythms and Covad to get access to the
16 same detailed information, the underlying information,
17 that you, Ameritech Illinois, would possess in any of
18 its -- in your own internal data bases or internal
19 records so that Rhythms or Covad could make
20 independent judgments about services to be rendered?

21 A. Yes.

22 Q. Would you agree that Rhythms and Covad

1 should get loop qualification information that might
2 be contained in Ameritech Illinois engineering
3 records, plant records, and other systems to make our
4 own decisions about services to render?

5 A. Yes, that was part of the Advanced
6 Services Plan of Record where the CLECs defined
7 approximately 32 elements in loop qualification that
8 they wanted, and SBC agreed to provide those.

9 Q. We'll come back to that in a little
10 while, the 30 elements. You have been here the whole
11 three days; have you not?

12 A. In and out.

13 Q. In and out. Did you hear your counsel or
14 one of your counsel ask the Staff witness if he
15 thought the term "back-office system" might have
16 appeared in the UNE Remand Order?

17 A. I think that was the afternoon I wasn't
18 here.

19 Q. Well, you have seen that statement,
20 "back-office systems" in this order, haven't you?

21 A. Sure.

22 Q. That's a term that you are familiar with?

1 A. Yes, it is.

2 Q. We can use that together, can't we?

3 A. Yes, we can.

4 Q. Would you agree with me that the right
5 test for a CLEC getting access to information that
6 Ameritech Illinois might possess is whether or not the
7 information exists anywhere within Ameritech's
8 back-office and can be accessed by any of the
9 incumbent's personnel?

10 A. No, because there is obviously
11 proprietary information in our back-office systems.

12 Q. I am going to hand you the same UNE
13 Remand Order and ask you to read the first sentence of
14 paragraph 430, please.

15 A. "We also clarify that under our existing
16 rules the relevant inquiry is not whether the retail
17 arm of the incumbent has access to the underlying loop
18 qualification information, but rather whether such
19 information exists anywhere within the incumbent's
20 back-office and can be accessed by any of the
21 incumbent LEC's personnel."

22 Q. Okay. Would you agree with me that you

1 should, Ameritech should, not you personally, but
2 Ameritech Illinois should provide access to loop
3 qualification information to Rhythms and Covad within
4 the same time intervals as is provided to your retail
5 operation?

6 A. Well, Ameritech Illinois doesn't have a
7 DSL retail product.

8 Q. I understand that. With that caveat,
9 would you agree with me about that requirement?

10 A. As an assumption? I mean --

11 Q. As a mandate, do you think you should
12 have to do that or do you think you do it, I should
13 say?

14 A. If it is the same information that we
15 provide to retail, then, yes, we need to provide it in
16 the same time.

17 Q. I am talking about intervals now, same
18 time intervals. Do you think that you have to provide
19 access to loop qualification information in the same
20 time intervals as you do at retail?

21 MR. ASHBY: Objection, asked and answered.
22 She said the same time.

1 EXAMINER WOODS: I thought she said the same
2 information.

3 THE WITNESS: And the same time.

4 MR. BOWEN:

5 Q. Okay, we are fine then. Okay, now, all
6 the things we have been talking about are found in the
7 UNE Remand Order; is that right?

8 A. The last couple of lines that you had me
9 read, but not everything that we have talked about.

10 Q. You have referenced the Plan of Record as
11 well?

12 A. Yes.

13 Q. We will get there too, I assure you. Can
14 you come back to your testimony, please? All right.
15 At the bottom of page 2 -- I numbered my pages. I'm
16 sorry, I don't know if you have yours numbered as
17 well.

18 A. That's all right. It's not so big that I
19 can't find it.

20 Q. Bottom of 2, top of 3, your testimony is
21 that you think Ameritech has an obligation to provide
22 CLECs with indiscriminatory access to OSS functions;

1 do you see that sentence at the bottom of page 2?

2 A. Yes.

3 Q. Do you mean, when you say functions, do
4 you mean to exclude information from that? What do
5 you mean by functions there?

6 A. Functions are defined by the FCC as
7 pre-ordering, ordering, provisioning,
8 maintenance/repair, and billing.

9 Q. Okay, fair enough. But don't you think
10 you also have the obligation to provide access to
11 Rhythms and Covad -- I'm sorry, non-discriminatory
12 access to Rhythms and Covad to the information held in
13 your OSS?

14 A. Are you now calling back offices OSSs?

15 Q. I would be happy to.

16 A. I would prefer you don't because that's
17 not the way we refer to our OSS. However, yes, I do
18 believe that CLECs, including Covad and Rhythms, are
19 entitled to the information in our data bases,
20 excluding proprietary information.

21 Q. Proprietary to whom, Ms. Jacobson?

22 A. Proprietary to Ameritech.

1 Q. So you are not talking about what's
2 commonly known as Customer Proprietary Network
3 Information or CPNI when you say that?

4 A. Well, we have different rules governing
5 CPNI.

6 Q. Describe for me exactly which information
7 in your OSSs you deem to be the type that would
8 constitute proprietary information to Ameritech and,
9 therefore, not available to Rhythms or Covad?

10 A. Okay, we have a system that does nothing
11 but pricing of products, pricing for Ameritech.
12 That's not appropriate to give to a CLEC.

13 Q. Okay, anything else?

14 A. Or necessary. Anything else?

15 Q. I probably would dispute that with you,
16 but anything else you can think of in the category of
17 the five major categories we have been talking about
18 already?

19 A. I would say the design of our circuits.

20 Q. The design of your circuits, you mean
21 like TIRKS?

22 A. If you look at our inventory system,

1 there is design circuits in there.

2 Q. You think information in Tirks is
3 proprietary and, therefore, unavailable to Rhythms
4 under the FCC Order?

5 A. That's my belief.

6 Q. Anything else?

7 A. Short of CPNI?

8 Q. Right, leaving CPNI aside.

9 A. I couldn't state unequivocally because I
10 haven't looked in every system to see everything
11 that's in there.

12 Q. Do you think anything in a system called
13 LFACS, L-F-A-C-S, standing for Loop Facility
14 Assignment Control System, anything in there
15 proprietary as you define it and, therefore,
16 unavailable to Rhythms or Covad?

17 A. It's an assignment system. It assigns
18 cables and pairs.

19 Q. I understand that. Is there anything in
20 there that you would deem proprietary?

21 A. Never having looked in the system, I'm
22 not sure how it's laid out, so I don't know that they

1 don't have additional information that wouldn't,
2 shouldn't, be available.

3 Q. I thought you agreed with me that we
4 should have access to all the information in LFACS
5 because its an OSS. Did I misunderstand that answer?

6 A. Yes. I don't call LFACS an OSS. To me
7 LFACS is a back-office system. We do not in our
8 retail environment directly access LFACS.

9 Q. So is the right test then, we should get
10 access to whatever your retail service reps have
11 access to? Is that the proper test in your view?

12 A. In a pre-ordering and ordering mode?

13 Q. Yes.

14 A. The information, the information
15 contained in the systems.

16 Q. The information contained in the systems
17 that a retail service rep would get; is that what you
18 are saying?

19 A. Yes, I'm sorry.

20 Q. All right. What about TIRKS itself? Is
21 there information in there which you think is
22 proprietary to Ameritech and, therefore, we can't

1 have? TIRKS standing for Trunk Inventory Record
2 Keeping System.

3 MR. ASHBY: Objection, asked and answered.

4 EXAMINER WOODS: I don't think so. Go
5 ahead. You can answer.

6 THE WITNESS: A. Well, as I said earlier, I
7 believe TIRKS is an inventory system of design
8 circuits. And I'm not the expert on what is
9 proprietary within all of our systems, but it would be
10 my opinion that you wouldn't have any need to see our
11 design circuits, a full inventory of them.

12 MR. BOWEN:

13 Q. Do you think TIRKS is an OSS or not?

14 A. No.

15 Q. What is it?

16 A. It's a back-office.

17 Q. Now, what about the LEAD/LEIS Data Base?

18 Is anything there in your view proprietary to
19 Ameritech and, therefore, not available to Rhythms and
20 Covad?

21 A. I am not familiar enough with that system
22 to know that.

1 Q. Do you know what it stands for?

2 A. No.

3 Q. Is it an OSS?

4 A. No.

5 Q. What is it?

6 A. It would have to be a back-office system,
7 if it's a system and it's not an OSS as I define OSS.

8 Q. How do you define OSS, Ms. Jacobson?

9 A. I define OSS as the suite of systems that
10 interfaces, that we provide, to CLECs to provide the
11 functionality of pre-ordering, ordering, provisioning,
12 maintenance/repair and billing.

13 Q. Would it be fair to call those interfaces
14 the gateways?

15 A. Yes. Well, not totally because we also
16 have some proprietary systems that we do make access
17 available to, which would be direct access versus a
18 gateway.

19 Q. All right. So you would call -- you
20 mentioned EDI alot in your testimony, right?

21 A. Yes.

22 Q. What's that stand for?

1 A. Electronic Data Interchange.

2 Q. You would call EDI an OSS then?

3 A. Yes, I would.

4 Q. You have heard of DataGate; have you not?

5 A. Yes, I have.

6 Q. What is DataGate?

7 A. DataGate is middle ware that a CLEC can
8 access by billing a fronting application to
9 pre-ordering the information.

10 Q. Is DataGate an OSS in your definitional
11 view?

12 A. Yes.

13 Q. What about Vari Gate? Have you heard of
14 that?

15 A. Yes.

16 Q. Is that an OSS?

17 A. Yes, it is.

18 Q. Can you think of any of what you are
19 calling back-office systems, I mean to include but not
20 limit it to LFACS, TIRKS, Lead Lease, plan, all the
21 things that you call back-office systems, those plus
22 whatever else you can think of, can you think of any

1 of those what you call back-office systems that you
2 also would call OSS over the FCC's definition of that
3 term?

4 A. In Ameritech, no.

5 Q. Okay, thank you. All right. Still
6 looking at your testimony, page 3, I take it that you
7 don't believe, if you look at line 7 there of your
8 testimony, if that testimony says if the CLEC were to
9 access each back-office system individually; do you
10 see that, start of that sentence?

11 A. I do.

12 Q. I take it that you don't believe such
13 access, that is access by Rhythms or Covad, to your
14 back-office systems would constitute accessing an OSS
15 at all by your definition; it is something else?

16 A. Right.

17 Q. So I take it from that answer that you
18 don't think that we even have the right to do that, to
19 access your back-office systems individually; is that
20 fair to conclude?

21 A. I'm not sure I would use the words that
22 you don't have the right. I think that what you don't

1 have is the necessity.

2 Q. And that's because -- have you ever
3 worked for a CLEC?

4 A. No.

5 Q. Then how do you know what a CLEC needs?

6 A. Because we have had numerous
7 collaboratives over long periods of time that,
8 beginning with the Act, where CLECs defined what they
9 need.

10 Q. Okay.

11 A. This is four years into that definition
12 so.

13 Q. So your testimony is that SBC, including
14 SBC/Ameritech Illinois and CLECs, are in complete
15 agreement about what's needed from a CLEC standpoint
16 via those processes; is that right?

17 A. No, I wouldn't go that far.

18 Q. Isn't there substantial disagreement,
19 even now, about whether you are providing what CLECs
20 need?

21 A. No, I don't believe there is substantial
22 disagreement at all.

1 Q. Okay, we will get there too, thank you.
2 But here back on page 3 of your testimony, you are
3 talking about how, if we did get access to your
4 systems, what you call your back-office systems, we
5 would get information in various, what you call,
6 cryptic formats; do you see that?

7 A. Yes.

8 Q. What do you mean by cryptic?

9 A. Well, these data bases have been built
10 over, I won't say the last hundred years, but over
11 many years storing various types of information and
12 various formats. The systems in the different four
13 regions in SBC are just that. They are different. We
14 didn't build them together, and so, therefore, if you
15 access LFACS, let's say, if you were able to in
16 Pacific, it would be different than accessing LFACS
17 here. The information may be totally different in the
18 format that it's presented to you in.

19 Q. I thought LFACS was a system developed by
20 Bellcore, the predecessor of Telcordia for the entire
21 Bell system when it was the Bell system; isn't that
22 right?

1 A. I don't know.

2 Q. You don't know that?

3 A. Have you ever sat at an LFACS terminal
4 personally?

5 A. No, I have never been in an assignment
6 center, but I have been a service rep and I never
7 accessed LFACS.

8 Q. So, therefore, CLECs don't need to; is
9 that what you are saying?

10 A. My belief is there is no need to. The
11 information in there is provided through the gateways.

12 Q. All the information in LFACS is provided
13 through the gateways?

14 A. The order is assigned in the same way
15 that it's assigned when it comes through a retail
16 environment.

17 Q. That wasn't my question. Are you saying
18 today that -- strike that. You are familiar that
19 LFACS is a data base that has a certain number of
20 fields of data in it?

21 A. Yes.

22 Q. Is it your testimony today that whatever

1 access you do give to the information, LFACS returns
2 all the data in all the fields in LFACS for a customer
3 to address?

4 A. That's my belief, that you get everything
5 that's in there relative to a customer's address. But
6 except the customer's address is in parentheses, I'm
7 sorry, depending on which region you are talking
8 about; that's my understanding.

9 Q. Let's talk about Illinois.

10 A. Okay.

11 Q. So your testimony is that, if I had a
12 list of LFACS data elements and I matched it against
13 your list of 30 or so elements you testified to later
14 here, that I would see that every one of those LFACS
15 elements would appear on this list; is that right?

16 A. No.

17 Q. So we don't get all the information in
18 LFACS?

19 A. No, all of those elements aren't in
20 LFACS. We never said they were. They are in various
21 data bases.

22 Q. Fair enough. But for the elements, for

1 the fields that are in LFACS, whatever number that
2 happens to be, every one of those fields appears on
3 this list some place, right?

4 A. I don't believe in my personal knowledge
5 that there are any of these fields in LFACS.

6 Q. Now, am I right that you mentioned the
7 Loop Assignment Center, that's a work group that's
8 common to Pacific and SWBT and Ameritech in terms of
9 dealing with LFACSS, is that fair? That is, employees
10 of Loop Assignment Center do use LFACS on a daily
11 basis?

12 A. Would they use LFACS?

13 Q. Yes.

14 A. I have no idea. My understanding of
15 LFACS is that it is an assignment system and it does
16 it automatically.

17 Q. Well, I asked you if you ever sat at an
18 LFACS terminal and you said, no, I have never been in
19 a Loop Assignment Center. I took from that --

20 A. That there are LFACS terminals in a Loop
21 Assignment Center?

22 Q. That's how I took your answer. Was I

1 wrong? It's true, isn't there, there are LFACS
2 terminals in Loop Assignment Centers?

3 A. I can't say that; I have never been in
4 one.

5 Q. You have no idea how to access LFACS from
6 any location in any of the 13 SBC states; is that
7 right?

8 A. That's totally true.

9 Q. And you are the OSS expert?

10 A. That's right.

11 Q. All right. Let's assume that there are
12 terminals some place in the 13-state region to access
13 LFACS; would you assume that?

14 A. I have got to assume that.

15 Q. Do you know whether or not there are
16 Telcordia or Bellcore manuals and training programs
17 that teach SBC employees how to use LFACS?

18 A. I don't know that.

19 Q. If I were to ask you the same question
20 with respect to any of what you call the back-office
21 systems, would your answer be the same?

22 A. No. I mean, it would probably be the

1 same that I don't know.

2 Q. Yes. That's what I am asking. Yes?

3 A. Yes, I'm sorry. I don't know.

4 Q. Now, if I am reading your testimony
5 correctly, and that's both your direct and
6 supplemental testimony, I get the impression from
7 reading it that your fundamental reliance for your
8 assertion that you are in compliance with the
9 requirements that are relevant for OSS is the Plans of
10 Record; is that fair?

11 A. No.

12 Q. Well, will you at least agree with me you
13 place the Plans of Record and the components of those
14 Plans of Record in a prominent spot in supporting your
15 assertion that you are complying with all the
16 requirements?

17 A. No.

18 Q. It's not mentioned at all in your
19 testimony? I thought I read it in here; maybe I am
20 wrong.

21 A. It is in my testimony to support the fact
22 that we negotiate with the CLECs what they need in the

1 way of information provided by the OSS. What I
2 believe I started out my testimony by saying is that
3 we are in compliance with OSS obligations as the FCC
4 defined them by providing you access to functionality
5 for pre-ordering, ordering and so forth and so on.

6 Q. Well, you do mention an Advanced Services
7 Plan of Record or POR, if I can use that term?

8 A. Yes, I do.

9 Q. And you also mentioned a Uniform and
10 Enhanced POR, right?

11 A. Right.

12 Q. Two different things?

13 A. Right.

14 Q. Now, am I correct that both of these PORs
15 come out of the SBC/Ameritech merger conditions
16 approved by the FCC prior to the actual merger of
17 those two companies?

18 A. That's right; they are merger conditions.

19 Q. Would you agree with me that the merger
20 conditions put in place by the FCC were put in place
21 to control potential anti-competitive behavior and
22 competitive harm that could result from such a merger